

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff	Case Number
vs.	17-cv-3613
JAMES H. IM,	

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff	Case Number
vs.	17-cv-3605
KEE CHAN	

Defendant

Status of Earlier Filed Case:



Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

Plaintiff filed this case on May 15, 2017.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

These two cases should be designated as related, as the facts and legal issues are similar and related in pertinent respects. Defendant in the newly filed case (James H. Im) was a head trader on the same trading desk at the same New York, New York broker-dealer (Nomura Securities International, Inc.) at which the defendant in the earlier filed case (Kee Chan) was also a head trader. For a number of years, Im and Chan were simultaneously the co-head traders on the Nomura trading desk in question, and both of them are alleged to have engaged in substantially similar misconduct on the trading desk in violation of the same antifraud provisions of the federal securities laws. As such, in the interest of judicial economy, plaintiff Securities and Exchange Commission respectfully requests that the newly filed case against Im be deemed related to the earlier filed case against Chan. The two actions were filed separately because Chan has agreed to settle the claims against him and has consented to entry of a final judgment, to be submitted to the Court along with the complaint in that action, while Im has not done so.

Signature:



Date: 5/15/17

Firm:

Securities and Exchange Commission